UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/910,282	07/19/2001	Yasushi Yamade	011350-283	2056

7590 08/09/2005	EXAMINER
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ART UNIT	PAPER NUMBER
2194	

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/910,282	YAMADE, YASUSHI
	Examiner	Art Unit
	Diem K. Cao	2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>23 May 2005</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-32</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-32</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   Claims 1-32 are pending. Applicant has amended claims 1, 4, 11, 13, 19, 23, and 31-32.

Continued Examination Under 37 CFR 1.114

2.   A request for continued examination under 37 CFR 1.114, including the fee set forth in

37 CFR 1.17(e), was filed in this application after final rejection. Since this application is

eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e)

has been timely paid, the finality of the previous Office action has been withdrawn pursuant to

37 CFR 1.114. Applicant's submission filed on 5/23/2005 has been entered.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1, 3, 11, 19, 21-22 and 31 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Dodson (U.S. 6,513,159 B1) in view of Harding (U.S. 5,794,052).

5.   As to claim 1, Dodson teaches a method for installing a printer driver (installing new

drivers from driver source; col. 2, lines 63-65) stored on a recording medium on a computer

terminal (Driver source may be a computer-readable medium 145; col. 2, lines 51-54)

comprising referring information set in the computer terminal (Master installer ... the platform

configuration and its version; col. 3, lines 9-20), and determining what driver to install

(determines what drives need to be installed or updated in the computer system; col. 5, lines 4-6

and 40-43), selecting one of the multiple drivers stored on the recording medium on the basis of

the computer's platform configuration and its version (five different versions of a driver for a

particular module of a particular device; col. 1, lines 32-34 and the drivers that need to be

installed are obtained form the driver source location; col. 5, lines 63-65), and installing the

selected driver on the computer terminal (the needed drivers are installed on the computer

system; col. 5, lines 66-67). Although Dodson does not explicitly teach printer drivers, Dodson

teaches the computer system includes a printer, and different equipments, and the installing

process install all the needed drivers so the computer system can control the printer and other

equipments (col. 2, lines 26-32 and abstract). Inherently, Dodson teaches printer drivers.

6.   However, Dodson does not teach referring regional information set in the computer

terminal in advance, and the multiple printer drivers corresponding to multiple different regions,

respectively. Harding teaches referring regional information set in the computer terminal in

advance (col. 6, lines 39-41 and col. 13, lines 5-10), and the multiple software modules

corresponding to multiple different regions, respectively (the computer manufacture ... as an

option; col. 6, lines 16-18 and col. 9, line 67 – col. 10, line 2 and col. 11, lines 55-57 and col. 12,

lines 58-61).

7.   It would have been obvious to one of ordinary skill in the art at the time the invention

was made to combine the teaching of Dodson and Harding because it provides a solution that

provides the users with a quick, less confusing and more convenient of setting up software on the computer to operate in a language selected by the users (col. 4, lines 4-8).

8.   As to claim 3, Harding teaches the regional information set in the computer terminal in advance includes information concerning languages set in the computer terminal (col. 4, lines 4-8 and col. 6, lines 39-41).

9.   As to claim 11, it is the same as the method claim of claim 1 and is rejected under the same ground of rejection.

10.   As to claim 19, it is the same as the method claim of claim 1 and is rejected under the same ground of rejection.

11.   As to claim 21, see rejection of claim 3 above.

12.   As to claim 22, Dodson teaches the plurality of printer drivers are stored on a computer-readable medium (col. 1, lines 32-34 and col. 2, lines 51-54).

13.   As to claim 31, it is the same as the method claim of claim 1 and is rejected under the same ground of rejection.

14.   Claims 2, 12, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dodson (U.S. 6,513,159 B1) in view of Harding (U.S. 5,794,052) further in view of Garney (U.S. 6,081,850).

15.   As to claim 2, Dodson does not teach the selection step comprising steps of referring to a table that correlates the regional information with addresses where each printer driver is stored, and selecting one of the printer drivers by specifying an address corresponding to the regional information. Garney teaches device drivers are stored on a mass storage device of a computer system (col. 6, lines 1-10), the mass storage device has a look up table which maps each type of the card to a memory area of the mass storage device, and the device driver to control the card is stored in the memory area (col. 4, lines 44-55), and selecting one of the driver by specifying an address (point directly to the location on the mass storage device of the device driver; col. 9, lines 22-27). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Dodson and Garney because it would improve the performance of Dodson's system by referring directly to the locations of the software that need to be installed.

16.   As to claims 12 and 20, see rejection of claim 2 above.

17.   Claims 4, 5, 10, 13-14, 23-24, 29-30 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harding (U.S. 5,794,052) in view of Dodson (U.S. 6,513,159 B1).

18.   As to claim 4, Harding teaches a step of referring regional information set in the computer terminal in advance (col. 6, lines 39-41 and col. 13, lines 5-10), a selection step of selecting a piece of set up information from multiple pieces of setup information stored on the recording medium on the basis of the referred regional information (batch file for selected language; col. 6, lines 41-51, col. 10, lines 49-54), the multiple pieces of setup information corresponding to multiple different regions, respectively (col. 1, lines 32-34 and col. 2, lines 51-54), a step of installing a control program and the selected piece of setup information on the computer terminal (col. 6, lines 51-54 and col. 10, lines 60-62).

19.   However, Harding does not teach a method of installing a printer driver. Dodson teaches a method of installing a printer driver from a plurality of driver (abstract and col. 1, lines 32-34).

20.   It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Harding and Dodson because it provides a method to install program automatically.

21.   As to claim 5, Harding as modified teaches the selection step is executed by using a setup selection module contained in the control program (col. 12, lines 21-25).

22.   As to claim 10, Harding teaches the regional information set in the computer terminal in advance includes information concerning languages set in the computer terminal (col. 4, lines 4-8 and col. 6, lines 39-41).

23.   As to claim 13, it is the same as the method claim of claim 4 and is rejected under the

same ground of rejection.

24.   As to claim 14, see rejection of claim 5 above.

25.   As to claim 23, it is the same as the method claim of claim 4 and is rejected under the

same ground of rejection.

26.   As to claim 24, see rejection of claim 5 above.

27.   As to claim 29, see rejection of claim 10 above.

28.   As to claim 30, Harding teaches the plurality pieces of setup information are stored in a

computer-readable medium (col. 11, lines 55-57).

29.   As to claim 32, it is the same as the method claim of claim 4 and is rejected under the

same ground of rejection.

30.   **Claims 6-8, 15-17, and 25-27 are rejected under 35 U.S.C. 103(a) as being**

unpatentable over Harding (U.S. 5,794,052) in view of Dodson (U.S. 6,513,159 B1) further

in view of Hanson (6,148,346).

31.   As to claim 6, Harding does not teach the setup information includes language

information used for displaying the status of printing conditions a screen. Hanson teaches the

displayed GUI regarding the printer setup information, menu items selections and status

information of the printer are provided from the printer driver (col. 5, lines 13-43). It would have

been obvious to one of ordinary skill in the art at the time the invention was made to combine the

teaching of Harding and Hanson because the component driver could be the function to display

the printing condition on the screen.

32.   As to claim 7, Harding does not teach the setup information includes information on

printing paper sizes to be used on the printer. Hanson teaches the displayed paper size is

provided from the printer driver (col. 5, lines 53-59). It would have been obvious to one of

ordinary skill in the art at the time the invention was made to combine the teaching of Harding

and Hanson because the component driver could be the function to display the paper size to be

used.

33.   As to claim 8, Harding does not teach the setup information includes information on

measurement unit systems to be used for setting up printing conditions and displays. Crick

teaches the component driver performs a function that may be used in accessing a device

(abstract). Hanson teaches the displayed GUI regarding the printer setup information, menu

items selections and status information of the printer are provided from the printer driver (col. 5,

lines 13-43). It would have been obvious to one of ordinary skill in the art at the time the

invention was made to combine the teaching of Harding and Hanson because the component

driver could be the function to specify the measurement unit systems to be used.

34.   As to claims 15-17, see rejections of claims 6-8 above.

35.   As to claims 25-27, see rejections of claims 6-8 above.

36.   Claims 9, 18 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Harding (U.S. 5,794,052) in view of Dodson (U.S. 6,513,159 B1) further in view of Garney

(U.S. 6,081,850).

37.   Harding does not teach the selection step including the steps of referring to a table that

correlates the regional information with addresses where each piece of setup information is

stored, and selecting a piece of setup information from multiple pieces of information by

specifying an address corresponding to the regional information. Garney teaches device drivers

are stored on a mass storage device of a computer system (col. 6, lines 1-10), the mass storage

device has a look up table which maps each type of the card to a memory area of the mass

storage device, and the device driver to control the card is stored in the memory area (col. 4,

lines 44-55), and selecting one of the driver by specifying an address (point directly to the

location on the mass storage device of the device driver; col. 9, lines 22-27). It would have been

obvious to one of ordinary skill in the art at the time the invention was made to combine the

teaching of Harding and Garney because it would improve the performance of Harding system

by referring directly to the locations of the software that need to be installed.

38.   As to claims 18 and 28, see rejection of claim 9 above.

Response to Arguments

39.   Applicant's arguments with respect to claims 1-32 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

40.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.

   -    Nishikawa et al. (U.S. 2005/0168777 A1) teaches a data processing apparatus for

        controlling operation of a peripheral device (e.g., a printer) that is adaptable to different

        operation environments of a peripheral device, e.g., geographic difference.

41.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Diem K. Cao whose telephone number is (571) 272-3760. The

examiner can normally be reached on Monday - Friday, 5:30AM - 1:00PM, and Saturday,

5:30AM – 10:30AM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
Commissioner for Patents
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Diem Cao

MENG-AL AN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER